



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Ninth Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney

Age: 67		PUBLIC GUARDIAN , Conservator, is Petitioner. Account period: 12/06/11 – 12/11/13 Accounting - \$139,357.18 Beginning POH - \$25,868.13 Ending POH - \$29,404.31 Conservator - \$1,131.52 (6.40 staff hours @ \$76/hr. and 6.72 deputy hours @ \$96/hr.) Attorney - \$1,250.00 (less than allowed per Local Rule) Bond Fee - \$413.13 (ok) Petitioner prays for an Order: 1. Approving, allowing and settling the ninth account; 2. Authorizing payment of the conservator and attorney fees and commissions; and 3. Authorizing payment of the bond fee. Court Investigator Jennifer Young filed a report on 04/03/13.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail		w/	
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	2620		n/a	
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: JF	
			Reviewed on: 03/10/14	
			Updates:	
			Recommendation:	
			File 1 – Sisk	

(1) First and Final Report of Administrator and Petition for Settlement and (2)
Request for Discharge of an Insolvent (Non-Asset) Estate

DOD: 6/29/10		NORA ALICE BORGES , Administrator with Will Annexed is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		<p>Petitioner states no final inventory and appraisal of the estate was filed in this matter as Petitioner determined there are no assets to inventory. The real property owned by the Decedent was in foreclosure at the onset of this case and that process and procedure was finalized, which resulted in a complete and total loss of the real property. The property was "upside-down" in that debt far and away exceeded the current value of the property and it was concluded that the property was valueless and unsalvageable. The only other assets that were considered to be assets of the estate were three vehicles registered jointly held with the surviving spouse. Only one of those vehicles had any value; that vehicle is being inventoried into the decedent's deceased spouse's estate which is currently pending in the probate court.</p> <p>Supplement to Petition filed on 2/26/14 states on approximately 1/30/14, the administrator received a check in the amount of \$3,750.00 from GMAC Mortgage Inc. This is from the mortgage company that foreclosed on the real property. Due to an agreement between federal banking regulators and GMAC this amount was paid to the decedent as settlement for this matter.</p> <p>Please see additional page</p>	
Cont. from 021314			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters 1/10/11		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

Reviewed by: KT

Reviewed on: 3/11/14

Updates:

Recommendation:

File 2 – Price

Petitioner states she advanced costs to the estate totaling \$1,140.00 (filing fees, publication and certified copies). Petition asks that these costs be reimbursed to her.

Pursuant to Decedent's Will, the estate should be distributed entirely to decedent's spouse Suzy Borges Price. Suzy Borges Price died on 12/14/12. Her estate is being administered in case no. 13CEPR00638.

Petitioner is asking that after reimbursement of costs advanced of \$1,140.00 the remaining amount of \$2,610.00 be distributed to the Estate of Suzy Borges Price.

(1) First and Final Account of Conservator (2) Petition for Allowance of Fees for Conservator and Attorney (3) Petition for Reimbursement of Expenses to Conservator

DOD: 04/24/13		BOBBY KIRKPATRICK , Conservator, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
				<u>CONTINUED FROM 01/23/14</u>	
		Account period: 11/01/11 – 04/24/13		1. Declaration of Nancy LeVan in support of fees and explanation of funds transferred to trust account filed 01/22/14 states that the requested conservator and attorney fees are to be paid from the \$8,000.00 that is being held in the attorneys trust account. Therefore, it appears that there will be approximately \$2,008.10 funds remaining in the estate, the petition does not address distribution of the remaining assets.	
Cont. from 012314		Accounting - \$62,175.47			
	Aff.Sub.Wit.	Beginning POH - \$38,774.57			
✓	Verified	Ending POH - \$1,688.07			
	Inventory	Subsequent account period: 04/25/13 – 10/31/13			
	PTC	Accounting - \$1,688.07			
	Not.Cred.	Beginning POH - \$1,688.07			
✓	Notice of Hrg	Ending POH - \$1,658.10			
✓	Aff.Mail	w/	Conservator - \$3,650.00		
	Aff.Pub.		(for 146 hours @ \$25/hr. – services include shopping for conservatee, dealing with care facilities/medical facilities, bill payment, etc.)		
	Sp.Ntc.		Attorney - \$4,000.00		
	Pers.Serv.		(per itemization for services provided in obtaining conservatorship, arrangements for conservatee's care; and work preparing the accounting)		
	Conf. Screen		Petitioner prays for an Order:		
	Letters		1. Approving, allowing and settling the first and final account; and		
	Duties/Supp		2. Authorizing the conservator and attorney fees.		
	Objections				
	Video Receipt				
	CI Report				
✓	2620				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				

Reviewed by: JF
Reviewed on: 03/10/14
Updates:
Recommendation:
File 4 – Kirkpatrick

(1) First and Final Report of Executor, (2) Petition for Final Distribution Without an Accounting, and for (3) Allowance of Compensation for Ordinary Services

DOD: 06/27/13		JARED JEROME KAISER , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> There appears to be a typographical error in the Order pertaining to the statutory fee to be paid to attorney Wright. The Examiner has interlineated the Order to reflect the correct statutory fee as stated in the Petition.
		Accounting is waived.	
Cont. from			
	Aff.Sub.Wit.	I & A - \$317,006.01	
✓	Verified	POH - \$192,767.38 (\$186,314.37 is cash)	
✓	Inventory		
✓	PTC	Executor - \$2,500.00 (less than statutory)	
✓	Not.Cred.		
✓	Notice of Hrg	Attorney - \$9,255.76 (statutory)	
✓	Aff.Mail	w/	
	Aff.Pub.	Closing - \$1,500.00	
	Sp.Ntc.		
	Pers.Serv.	Distribution, pursuant to decedent's will, is to:	
	Conf. Screen	Joren Todd Kaiser - \$86,752.81 cash plus 50% of any accrued interest, personal property (silver & crystal) valued at \$1,500.00, and ½ interest in a Charles Schwab account valued at \$2,078.00	
	Letters	08/30/13	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report	Jared Jerome Kaiser- \$86,305.81 cash plus 50% of any accrued interest, a piano valued at \$350.00, furniture and furnishings valued at \$447.00, and ½ interest in a Charles Schwab account valued at \$2,078.01	
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
			Reviewed by: JF
			Reviewed on: 03/10/14
			Updates:
			Recommendation:
			File 5 – Kaiser

DOD: 11/29/2012		SPECIAL ADMINISTRATION EXPIRED 1-24-13	NEEDS/PROBLEMS/COMMENTS: Please see related case on page 20. <u>SEE ADDITIONAL PAGES</u>
		DOUGLAS CLEVINGER , son, is petitioner and requests appointment as special administrator with bond set at \$85,000.00.	
Cont. from 092413, 120313, 010713, 021814		Decedent died intestate.	
		Residence: Fresno	
Aff.Sub.Wit.		Inventory and Appraisal Value: \$85,000.00 (real property located at 4660 E. Brown in Fresno only)	
✓	Verified	Petitioner states he is the son of the decedent and had no contact with his father for more than 40 years. The decedent had been married several times. He was divorced from his most recent wife prior to his death. The only other known child of the decedent is Cynthia Fore. After extensive search, Petitioner states he has been unable to locate his half-sister. Two months prior to his death, decedent purchased real property located in Fresno. The decedent's other known assets are \$14,000 in a Citi Bank account, a Schwab account with approximately \$1,400.00 and a pick-up truck of nominal value. Therefore the total value of the estate is approximately \$100,400. Given the size of the estate the petitioner is able collect his ½ of the bank accounts and vehicle using an Affidavit under Probate Code §13100. Accordingly Petitioner is not asking for relief with respect to collecting the money or vehicle.	
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting	Petitioner requests appointment as special administrator with the authority to sell the decedent's real property and deposit the proceeds into the decedent's bank account.	
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	Following the sale the Petitioner will then be able to present an Affidavit under Probate Code §13100 to collect his ½ interest in the estate. Minute Order 9-24-13: This matter must be published. The Court grants petitioner special administrator for the purposes of listing the house for sale. Mr. Matlak to prepare order. Mr Matlak is to file a report of sale petition. This petition is continued to the same date. Continued to: [Pending] at 09:00a.m. in Dept 303. Set on: 1/24/14 at 09:00a.m. in Dept 303 for: Status Hearing. <u>SEE ADDITIONAL PAGES</u>	Reviewed by: KT / skc /KT Reviewed on: 3/11/14 Updates: Recommendation: File 6 – Fore

Order for Probate filed 9-27-13 appoints Petitioner as Special Administrator with an expiration date of 1-24-13 with special powers to enter into an exclusive listing agreement and enter into a contract to sell the property, subject to court approval of the terms and conditions of the sale; notice of hearing to be served per Probate Code §1220 and published per Probate Code §8121.

Update: Agreement and Assignment of Cindy Nicholls filed 9-30-13 by Brandenburger & Davis (heir finder) indicates that in consideration of their having located her and brought her estate interest to her attention, Ms. Nicholls, nee Fore, assigns one-third of her interest in the estate to Brandenburger & Davis. Brandenburger & Davis also filed a Request for Special Notice to attorney Tracy Potts of Sacramento.

Order Confirming Sale of Real Property was signed on 12/3/13. Proceeds from the sale (\$88,525.75) were placed in to a blocked account.

Note that as of 1/6/14, nothing further has been filed with respect to the probate estate, including publishing pursuant to Probate Code §8121. (Notice of Sale was published pursuant to Probate Code §10300; however, that notice does not meet the requirements of publishing for opening estate administration pursuant to Probate Code §8121, as required.)

NEEDS/PROBLEMS/COMMENTS:

1. It appears that the petitioner wants to probate and distribute the estate without any court oversight or notice to creditors, including the Franchise Tax Board, Department of Health Services, etc. This does not appear to be the proper use of a special administration.

Probate Code §8546(c) states the Special Administrator must account in the same manner as a general personal representative. Therefore it appears that a general personal representative would be more appropriate.

There could be other heirs or creditors that are unknown to Petitioner and that is why publication is necessary, especially given the fact the petitioner had not seen his father in 40 years.

2. Petitioner states that given the size of the estate, Petitioner is permitted to collect his one-half interest using affidavit under Probate Code §13100 and is therefore not including those assets or requesting any relief herein with respect to the bank accounts and vehicle with a total approx. value of \$15,400.00.

This may not be appropriate considering that the Petitioner is not the only heir to the estate, has opened this special administration, and is now requesting court confirmation of sale and distribution of proceeds pursuant to intestate succession.

The Court may require authority for handling the additional assets via summary proceeding separate from the existing probate estate. See Probate Code §8000 et seq. (Opening Estate Administration, etc.)

SEE ADDITIONAL PAGE

3. Court records indicate that there were ongoing proceedings in Mr. Fore's dissolution matter (Fresno Superior Court Case No. 08CEFL03393) at the time of his death. Although the Judgment of Dissolution was entered on 11-1-11, it appears there were ongoing proceedings with regard to beneficiary designation on certain accounts/assets. Therefore, Qiao-Zhen Chen Fore, the decedent's former spouse, may be an heir entitled to notice of a petition to administer the estate.
4. I&A filed 9-3-13 states at #3 that the I&A contains all of the assets of the estate. However, the I&A lists only the house valued at \$85,000.00. The Court is aware, pursuant to statements in the original petition, as noted above, of at least \$15,400.00 of additional assets. The Court will require amended I&A once a probate estate established.
5. Based on the above concerns, the Court may require a Petition for Letters of Administration to be filed and properly noticed pursuant to Probate Code §8000, et seq.
6. This matter was never published as required by Minute Order dated 9/24/13.

DOD: 03/28/2012		PHYLLIS ANN NETHERTON,	NEEDS/PROBLEMS/COMMENTS: 1. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D. 2. Need Letters. <u>Note:</u> If the petition is granted status hearings will be set as follows: • Friday, 08/15/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 05/15/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
		daughter/named executor without bond, is petitioner.	
		Full IEAE – o.k.	
Cont. from		Will dated: 07/10/1991	
<input type="checkbox"/>	Aff.Sub.Wit.	s/p	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	x	
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 03/11/2014
			Updates:
			Recommendation:
			File 8 – Centrone

DOD: 09/13/2013		JENEBIE LAZO , daughter, and JEREMIAH RIBEIRO , son, request appointment as Administrator without bond. All heirs waive bond Full IAEA - ? Decedent died intestate Residence: Fresno Publication: Need Estimated value of the Estate Personal property - \$50,000.00 Real property - \$250,000.00 Total - \$300,000.00 Probate Referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS:	
			1. Need Affidavit of Publication.	
Cont. from			Note: If the petition is granted status	
<input type="checkbox"/>	Aff.Sub.Wit.		hearings will be set as follows:	
<input checked="" type="checkbox"/>	Verified		• Friday, 08/15/2014 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u>	
<input type="checkbox"/>	Inventory		• Friday, 05/15/2015 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.	
<input type="checkbox"/>	PTC		Pursuant to Local Rule 7.5 if the required	
<input type="checkbox"/>	Not.Cred.		documents are filed 10 days prior to the	
<input checked="" type="checkbox"/>	Notice of Hrg		hearings on the matter the status	
<input checked="" type="checkbox"/>	Aff.Mail		hearing will come off calendar and no	
<input type="checkbox"/>	Aff.Pub.		appearance will be required.	
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: LV		
		Reviewed on: 03/11/2014		
		Updates:		
		Recommendation:		
		File 9 – Ribeiro		

DOD: July 27, 1997		<p>FRANK VOLPA, Executor, filed a petition for instructions on 8/30/2013. Mr. Volpa stated in his petition that although the order for final distribution had been entered in 2007 he had not yet distributed all the assets to the beneficiaries because of unforeseen tax issues. Mr. Volpa requested that the court allow him to pay himself and his attorney and possibly a CPA for work that needed to be done to allow the remaining assets to be distributed.</p> <p>On 10/3/13 the Court denied the Petition. Minute order from the hearing states the Court is not in a position to allow fees to be paid for what should have been done. The Court set this status hearing and ordered Frank Volpa to be personally present.</p> <p>Former Status Report filed on 1/23/14 states as the court is aware Mr. Volpa has not distributed all the assets of the estate. Mr. Volpa is still in possession of assets that are distributable to the University of Montana and to the Sigma Chi Foundation.</p> <p>Since the last hearing Mr. Volpa's attorneys have obtained receipts for some of the assets that were distributed. Receipts for assets were filed with the court.</p> <p>Mr. Volpa's attorneys have also been in contact with Vanguard. Vanguard holds an IRA with a current value of about \$179,000.00. Mr. Volpa is the named beneficiary but disclaimed any interest by document filed with the court on 5/26/2006. With the assistance of his attorney Mr. Volpa has converted the account to an estate account in order to be able to distribute them to the proper parties. Those assets are now available for distribution.</p> <p>All tax returns are current and taxes have been paid.</p> <p>Mr. Volpa's attorneys are preparing an account of activities since the 2007 order for distribution. Mr. Volpa requests that the status on this matter be continued 4-6 weeks in order for his attorneys to complete the account and present a plan for distribution to the court.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/30/14.</p> <p>1. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 101713, 121213, 013014			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202 Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: KT

Reviewed on: 3/11/14

Updates:

Recommendation:

File 10 – Hanson

DOD: 02/24/2012	<p>KENNETH ROBERTS, was appointed Administrator with full IAEA and with bond set at \$20,000.00 on 10/18/2012.</p> <p>Proof of Bond was filed 2/22/2013 showing bond posted in the sum of \$20,000.00.</p> <p>Letters issued on 03/14/2013.</p> <p>Final Inventory and Appraisal filed on 10/15/2013 shows an estate valued at \$129,764.97.</p> <p>Minute Order of 10/18/2012 set this matter for hearing on 12/20/2013 for status of filing for final distribution.</p> <p>Minute Order dated 12/20/2013 [Judge Snauffer] states: No appearances. Matter continued to 1/2/2014. The Court orders Larry Donaldson to be personally present on <u>1/2/2014</u>.</p> <p>Status Conference Statement filed 03/04/2014 by Attorney Larry A. Donaldson states that the accounting for the estate has been partially prepared but is not completed yet. The Administrator and heirs have not yet decided whether to sale or transfer the real property in the estate. The house is the only asset left in the estate. The Administrator of the estate, Ken Roberts, has lent the estate more than \$9,000. Ken Roberts is serving as Administrator without compensation and waives all fees that would normally be paid to him. Attorney Donaldson also waives all fees that would normally be paid for his services. There are no other assets other than the real property to pay back to the money loaned to the estate. Attorney Donaldson will be out of the county from 03/04/2014 through 03/12/2014 and unavailable to complete the paperwork to finish the accounting. Attorney Donaldson anticipates that the accounting will be completed and the estate in a condition to close by April 30, 2014.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 122013, 010214		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
✓ Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Reviewed by: LV		
Reviewed on: 03/11/2014		
Updates:		
Recommendation:		
File 11 – Roberts		

		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Corrected Final I&A filed 3-5-14
Cont. from 101013, 111413, 011614, 022014		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-11-14
		Updates:
		Recommendation:
		File 12 - Navarro

Atty Rios, Grace (pro per – non-relative/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Matthew, 3	TEMPORARY EXPIRES 03/13/14		NEEDS/PROBLEMS/COMMENTS:
	GRACE RIOS , non-relative, is Petitioner.		<p>This Petition pertains to Matthew Ortiz only. Guardianship of Alyssa & Alfredo was granted on 05/23/12 to Elsa Garcia, paternal aunt. Guardianship of Jaylen & Augustin was granted on 05/23/12 to Guadalupe Garcia Villagomez, paternal aunt.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ul style="list-style-type: none"> a. Jason Romero (father) – Personal service required b. Paternal grandparents – service by mail sufficient c. Maternal grandparents – service by mail sufficient 3. Need DSS Report and Clearances – CI to provide.
	Father: JASON ROMERO		
	Mother: ROSEANNA ORTIZ – Consent & Waiver of Notice filed 01/10/14		
Cont. from	Paternal grandparents: NOT LISTED		
Aff.Sub.Wit.	Maternal grandparents: NOT LISTED		
✓ Verified	Petitioner states that Matthew's mother left him with her when he was 3 months old and she has raised him since that time. The parents both have a history of substance abuse. Petitioner states that Matthew's father is now threatening to remove Matthew from her home. Petitioner states that hers is the only home Matthew knows and he would be devastated to be removed from the only family he knows. Petitioner states that the father is a complete stranger to Matthew. Petitioner states that the father is currently in a drug program, has only been clean for 6 months and has a history of going back to drugs after completing programs.		
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	x		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report	x		
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
	DSS Social Worker – NEED REPORT.		Reviewed by: JF Reviewed on: 03/11/14 Updates: Recommendation: File 13 – Ortiz & Leon

Atty Galindo, Roberta J. (pro per – maternal grandmother/guardian)

Atty Bonilla, Melissa (pro per – mother/Petitioner)

Petition for Termination of Guardianship

George, 2	MELISSA BONILLA, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Azariah, 6 mos.	ROBERTA GALINDO, maternal grandmother, was appointed Guardian of the Person of George Bonilla-Ramirez on 05/07/13 and as Guardian of the Person of Azariah Ramirez on 01/22/14.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	Father: GEORGE RAMIREZ	
<input checked="" type="checkbox"/> Verified	Paternal grandfather: GEORGE RAMIREZ	
<input type="checkbox"/> Inventory	Paternal grandmother: LISA RAMIREZ	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Maternal grandfather: SERGIO BONILLA	
<input type="checkbox"/> Notice of Hrg	Petitioner states: no reason for termination stated in Petition.	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Court Investigator Julie Negrete filed a report on 02/14/14.	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: JF
<input type="checkbox"/> Status Rpt		Reviewed on: 03/11/14
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 15 – Bonilla-Ramirez & Ramirez

Atty Grajiola, Darla (Pro Per – Paternal Grandmother – Petitioner)

Atty Grajiola, Jesus (Pro Per – Paternal Step-Grandfather – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		TEMP EXPIRES 11-21-13, extended to 3-13-14	NEEDS/PROBLEMS/COMMENTS:
			Note: This petition is for minor Jayda Esparza only. On 1-16-14, the Court denied the petition regarding minor Jason Villa.
			Continued from 11-21-13, 1-16-14.
Cont. from 112113, 011614		DARLA and JESUS GRAJIOLA, Paternal Grandmother and Step-Grandfather, are Petitioners.	Minute Order 1-16-14: The court investigator is ordered to conduct a follow up with CPS. Mother is ordered to provide her contact information to the clerk's office forthwith. Parties agree to participate in mediation today at 10:30 am re: visitation. Temp is extended to 3-13-14.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Father: JOE MANUEL ESPARZA - Served with Notice of Hearing only on 10-31-13	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<input checked="" type="checkbox"/>	Order		
		Mother: YVONNE PACHECO - Declaration of Due Diligence filed 9-30-13 - Diligence Found at temp hearing 10-3-13 - Appeared and objected at hearings on 11-21-13, 1-16-14	As of 3-11-14, nothing further has been filed. The following issues remain: 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing date per Probate Code §1511 or consent and waiver of notice or declaration of due diligence on: - Manuel Esparza (paternal grandfather) - Maternal Grandfather - Aurora Pacheco (maternal grandmother) 3. Notice to the mother was excused at the temp hearing on 10-31-13; however, the mother did appear and object at the hearing on 11-21-13. No written objections have been filed; however at this time, the Court may require proof of proper service (Notice of Hearing with copy of petition) in accordance with Probate Code §1511. 4. According to the Proof of Service filed 10-31-13, Joe Manuel Esparza (father) was served at the Fresno County Jail with a Notice of Hearing only, without a copy of the petition. The Court may require amended service pursuant to Probate Code §1511. (Note: Also, because a Notice of Hearing was not filed, it is not known whether the Notice indicated the correct information about today's hearing date.
		Paternal Grandfather: Manuel Esparza Maternal Grandfather: Unknown Maternal Grandmother: Aurora Pacheco	
		Siblings: Jacob Navarez, Jayson Villa	
		Petitioner states Jayda was removed by CPS from her home on 9-13-13 due to the living conditions and the fact that her grandmother where she was living is unable to give proper care and guidance. A copy of the Team Decision-Making Summary Report Permanency Planning dated 9-16-13 is attached.	
		Court Investigator Dina Calvillo filed a report on 11-6-13.	
<input type="checkbox"/>	Aff. Posting		Reviewed by: skc
<input type="checkbox"/>	Status Rpt		Reviewed on: 3-11-14
<input checked="" type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 16 – Esparza & Villa

Amended Petition for Appointment of Probate Conservator of the Person

			NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
Cont. from 012314				
	Aff.Sub.Wit.			
✓	Verified			Court Investigator advised rights on 10-9-13
	Inventory			Voting rights affected – need minute order
	PTC			<u>Continued from 1-23-14</u>
	Not.Cred.			<u>All previously noted issues have been cured.</u>
✓	Notice of Hrg		A Capacity Declaration was filed on 2-10-14.	
✓	Aff.Mail	W	Petitioner states Dwayne was brutally attacked and suffered hemorrhaging in the brain. He requires help around the clock. He is unable to care for his personal hygiene and /or dress himself. He needs assistance with his medicines. He is fed through a feeding tube and needs help care for his trach. He has impaired mental status. He cannot be left alone. He is not able to make decisions on his own and is not able to do day to day tasks.	
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp		Court Investigator Charlotte Bien filed a report on 10-21-13.	
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			Reviewed by: skc
	Status Rpt			Reviewed on: 3-11-14
	UCCJEA			Updates:
✓	Citation			Recommendation:
	FTB Notice			File 17 – Holmes

First Amended Petition for Probate of Will and for Letters Testamentary

DOD: 8-16-13		MICHAEL D. COWIN and DANIEL RAY COWIN , named Co-Executors without bond, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
			Note: Michael Cowin previously filed a Petition for Probate of Will requesting to be appointed as Executor alone. At hearing on 1-23-14, Daniel Cowin, the other named co-executor, appeared. The parties were directed to participate in mediation. At hearing on 1-27-14, Michael Cowin's petition was denied without prejudice and the Court directed that an amended petition be filed and no republication be required.
		Full IAEA – ok	Note: Michael Cowin's original petition was originally published for the hearing date of 1-23-14. However, the hearing date for this amended petition for appointment of Michael Cowin and Daniel Cowin has <u>not</u> been published pursuant to the Court's minute order of 1-27-14.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Will dated: 3-19-04	
<input type="checkbox"/>	Inventory	Residence: Clovis	
<input type="checkbox"/>	PTC	Publication – Business Journal	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Estimated Value of the Estate: Personal property: \$220,000.00	
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.	X	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen	Probate Referee: Steven Diebert	
<input checked="" type="checkbox"/>	Letters	Note: If the petition is granted, status hearings will be set as follows:	
<input checked="" type="checkbox"/>	Duties/Supp	<ul style="list-style-type: none"> Friday, July 11, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, July 10, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. 	<ol style="list-style-type: none"> Need Notice of Petition to Administer Estate (DE-121). Need proof of service of Notice of Petition to Administer Estate at least 15 days prior to the hearing on: <ul style="list-style-type: none"> - Alvin Leon Cowin, Jr. - Kenneth Paul Cowin
<input type="checkbox"/>	Objections		Note: The two petitioners were directed to participate in mediation for the purpose of working together as co-executors in accordance with the decedent's will.
<input type="checkbox"/>	Video Receipt		However, the mediation agreement filed 3-10-14 by Daniel Cowin appears to address distribution.
<input type="checkbox"/>	CI Report		Please note: Distribution is not appropriate at this point. This hearing is for appointment of the co-executors only and distribution cannot be addressed until the estate has been inventoried and appraised, creditors are adequately provided for, and the estate is in a position to be closed according to applicable law. At that time, and upon further petition, the Court will order distribution pursuant to the will and applicable law.
<input checked="" type="checkbox"/>	9202		Please also note: The other heirs were not party to the mediation and have not been noticed for this hearing date. Whatever agreements were reached between the two petitioners regarding distribution may not be appropriate.
<input checked="" type="checkbox"/>	Order	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	The parties are strongly encouraged to seek legal advice from an attorney going forward.
<input type="checkbox"/>	Aff. Posting		Reviewed by: skc
<input type="checkbox"/>	Status Rpt		Reviewed on: 3-11-14
<input type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 18 – Galvan

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 2 months		TEMPORARY EXPIRES 3/13/2014		NEEDS/PROBLEMS/COMMENTS:	
		JOSE ANTONIO RIVERA and ESTHELA CORRAL , maternal grandparents, are petitioners.			
		Father: UNKNOWN – Declaration of Due Diligence filed on 1/29/14.			
Cont. from		Mother: NAYELI RIVERA , consents and waives notice			
	Aff.Sub.Wit.		Paternal Grandparents: Unknown		
✓	Verified		Petitioners state: the mother of the minor, their daughter, has been diagnosed with Bipolar and Schizoaffective Disorder. She hears voices and has hallucinations. She has a history of substance use. During her pregnancy, the mother would make marks on her stomach and make statements like "I can hit my baby if I want to, he's my baby." Petitioners allege that the mother has been aggressive towards them in the past. Petitioners state that while the mother was pregnant she would leave the house in the middle of the night and go to 7-11 where she would use drugs and be with men. As a result of her medical condition the petitioners believe the child would not be safe in the mother's care.		
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	W/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order		Court Investigator Jennifer Young's Report filed on 3/6/14 .	Reviewed by: KT	
	Aff. Posting			Reviewed on: 3/11/13	
	Status Rpt			Updates:	
✓	UCCJEA			Recommendation:	
	Citation			File 19 – Rivera	
	FTB Notice				

Age: 11/29/12		DOUGLAS CLEVANGER and CINDY NICHOLLS , children of the decedent, are petitioners. 40 days since DOD. Douglas Clevenger, Special Administrator for the Estate of Richard Fore, case no. 13CEPR00745, consents to the use of this procedure. Decedent died intestate. I & A - \$85,000.00 Petitioner states the real property was sold and the proceeds (\$88,525.75) were deposited into a court-blocked account. Declaration of Attorney Matlak states normally a Petition to Determine Succession will request an order that specific real property will be transferred. In this case, the real property has been sold and the proceeds of the sale placed in to a blocked account. At the time of the decedent's death, however, his estate owned real property, and therefore a petition to determine succession to real property appears to be the most appropriate route.	NEEDS/PROBLEMS/COMMENTS: 1. This procedure cannot be used to pass personal property only. It must include real property. Probate Code §13151. 2. Need Order
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail W/		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order X		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 3/10/14
Updates:
Recommendation:
File 20 – Fore